Nisga'a Final Agreement 2001 Annual report

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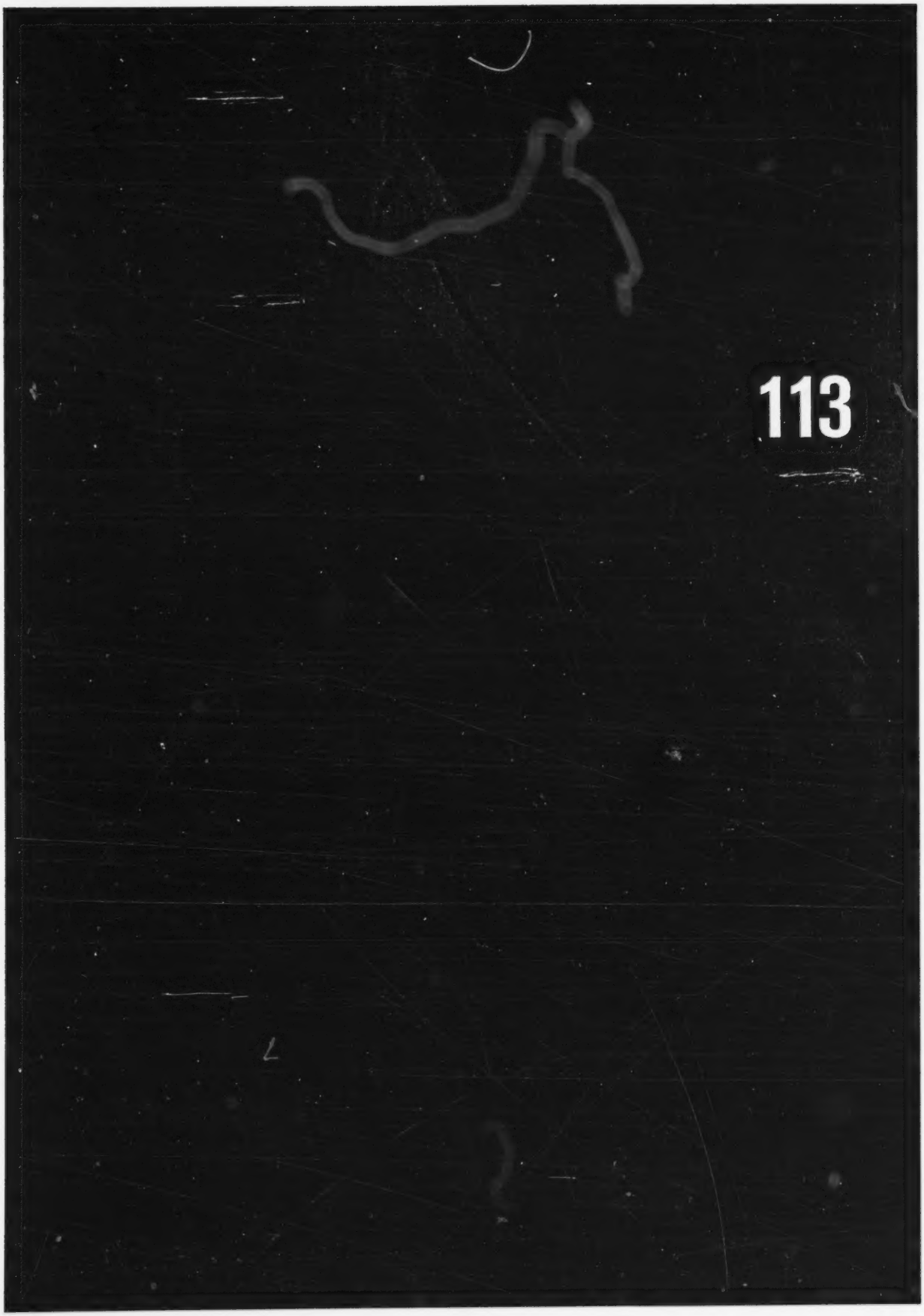
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After one hundred and thirteen years...

The Nisga'a people first petitioned government to settle their "Land Question" in 1887.

In 1998, the governments of Canada, British Columbia, and the Nisga'a Nation signed the Nisga'a Final Agreement, the first treaty in British Columbia in more than a century. The treaty recognises Nisga'a Lands and contains self-government provisions. On May 11, 2000, the treaty went into effect, marking the end of a 113-year quest — and the beginning of an exciting new era of hope, prosperity, and goodwill.

This annual report reviews the implementation of the first year of the treaty, from its Effective Date until March 31, 2001.

...**three** governments made history together

The Nisga'a Final Agreement

The Nass River Valley in Northwest British Columbia is a land of towering mountains, glacier-fed lakes, ancient forests, and rugged lava beds. The valley has sustained the Nisga'a people for millennia. Resources from the river and its plentiful watershed allowed the Nisga'a to develop one of the most sophisticated precolonial cultures in North America.

In the late 1800s, when much of Nisga'a traditional territory was declared Crown land, the Nisga'a people began petitioning government to recognise their connection to this territory. In 1973, the Supreme Court of Canada delivered its decision in the Calder case, which was brought to trial by Nisga'a Chief Frank Calder, president of the Nisga'a Tribal Council. Formal negotiations began between the Nisga'a Tribal Council and Canada in 1976. In 1990, the government of British Columbia joined the negotiations to establish a tripartite process. On August 4, 1998, a signing ceremony at Gitlakdamix signalled the completion of a quarter century of negotiations.

After ratification by the Nisga'a Nation, British Columbia, and Canada, the Indian Act ceased to apply to the Nisga'a people on midnight, May 10, 2000 (except for the purpose of Indian registration). The following day, the Effective Date of the treaty, was a historic and triumphant one for the Nisga'a people. It marked the end of a 113-year journey — and the first steps in a new direction.

Today, the Nisga'a Nation includes approximately 5,500 people, with the majority residing in four communities on the Nass River: Gingolx

"It's like night turning into day. It is dawn in the Nisga'a Nation."

— Dr. Joseph Gosnell, OC, OBC, LLD (Hon.),
President, Nisga'a Lisims Government

(Kincolith), Laxgalts'sap (Greenville), Gitwinksihlkw (Canyon City), and Gitlakdamix (New Aiyansh). A significant proportion of Nisga'a people also live in the urban centres of Terrace, Prince Rupert, and Vancouver, British Columbia. Under the treaty, the Nisga'a collectively own approximately 2,000 square kilometres of land in the Nass Valley. For the first time in modern history, through the self-government provisions of the treaty, the Nisga'a have the legal authority to conduct their own affairs.

The treaty benefits not only the Nisga'a people, but all British Columbians and Canadians. It is already opening the door for joint economic initiatives in the development of the Nisga'a Nation's natural resources, and it lays to rest the uncertainty regarding land ownership. Guided by their culture and the wisdom of their elders, the Nisga'a are now entrusted with the care and protection of their territory and its inhabitants.

Because three governments share responsibility for the implementation of the Nisga'a Final Agreement, an Implementation Committee was formed to provide a forum for sharing information and ideas. The committee works to ensure that the treaty responsibilities are fulfilled in a timely manner, and to resolve issues that may arise. Canada, British Columbia, and the Nisga'a Nation report that the Implementation Committee has made measurable progress as the three parties work together in a spirit of co-operation.

The Nisga'a Final Agreement has served as an example for First Nations throughout Canada and the world. It demonstrates that governments and First Nations can, in goodwill, forge a more secure future for everyone.

Day One

The Nisga'a Nation took its first steps as a self-governing entity on May 11, 2000. This date marked the first meeting of a transitional government, which guided the nation through the evolution from the Nisga'a Tribal Council to Nisga'a Lisims Government. Most significantly, it marked a peaceful and orderly transfer of authority that is a Canadian tradition.

The body responsible for considering and passing laws, the Wilp S'ayuukhl Nisga'a, elected its first speaker and deputy speaker. The government moved quickly to pass 18 pieces of legislation regarding lands, forest resources, fisheries, wildlife, and financial administration. The Nisga'a Administrative Review Board Act was another important piece of legislation passed that day. This act established a board which is responsible for reviewing decisions made by the Nisga'a government. Its mission is to ensure decisions affecting individuals are fair, and that the government remains accountable to its citizens.

In preparation for this historic day, the three governments worked toward a common goal. Canada, for its part, completed its ratification of the Nisga'a Treaty by passing the orders in Council (required for the coming into force of the Nisga'a Final Agreement Act). This federal legislation gives effect to, and provides the force of law for, the Nisga'a Treaty. Canada also completed the Licenses of Occupation and the Federal Settlement Legislation. The three parties finalised associated agreements, including: a Fiscal Financing Agreement, Own Source Revenue Agreement, and a Harvest Agreement. British Columbia recognised Nisga'a land title and achieved provincial legislative approval for

the Nisga'a Final Agreement. On May 11, 2000, Capital Transfer Payments of $20.3 million from Canada and $3.1 million from British Columbia were made to the Nisga'a Nation.

Prior to the Effective Date, Canada and British Columbia dealt with the four Nisga'a villages and the Nisga'a Tribal Council on an individual basis. As a result of the treaty, the federal and provincial governments now conduct business with the Nisga'a Nation through Nisga'a Lisims Government. This centralised, streamlined approach greatly increases efficiency.

Governing a Nation

The government of the Nisga'a Nation is composed of Nisga'a Lisims Government (NLG) and four Nisga'a Village Governments. The Nisga'a Nation acts through NLG and each village government acts through its Nisga'a Village Chief and Council in exercising its rights, powers and privileges, and in carrying out its duties, functions, and obligations. Nisga'a citizens who ordinarily reside within the three Nisga'a "Urban Local" areas (Terrace, Prince Rupert, and Vancouver) elect individuals to serve as representatives to NLG.

For countless generations, the Nisga'a have governed themselves according to Ayuukhl Nisga'a, the traditional laws and practices of the Nisga'a Nation. The Council of Elders — which is composed of the chairperson, chiefs, matriarchs, and respected Nisga'a elders — provides guidance and interpretation of the Ayuuk to the Nisga'a government. The Council of Elders is appointed by NLG in accordance with Nisga'a law.

The President, Chairperson, Secretary-Treasurer, and the Chairperson of the Council of Elders are elected at-large by the Nisga'a Nation and serve as the four Officers of NLG. The executive consists of all the Officers, the Chief Councillor of each Nisga'a Village Government, and one representative from each Nisga'a Urban Local. Wilp Si'ayuukhl Nisga'a includes every Officer of Nisga'a Lisims Government, the Chief Councillor and Councillors of each Nisga'a Village Government, and two representatives from each Nisga'a Urban Local.

During the reporting period, there were four sittings of Wilp Si'ayuukhl Nisga'a (May 11, September 13, November 14-15, and December 5). A total of 21 laws were passed of which two were statute amendment acts. All Nisga'a laws are publicly available on the NLG web site. The Nisga'a Nation also elected a Speaker and Deputy Speaker, and passed Wilp Si'ayuukhl Nisga'a rules of procedure.

Wilp Si'ayuukhl Nisga'a (House of Laws)

On September 14, 2000, Nisga'a Lisims Government opened its administration building to the Nisga'a people. NLG invited representatives from the governments of Canada, British Columbia, and surrounding municipalities to take part in the celebrations. This impressive new government building includes the legislative chamber, meeting rooms, offices, executive wing, and the office of the president. It is a monument to the persistence and patience of the Nisga'a people.

On November 16, 2000, NLG raised a new pts'aan (totem pole) called Goothl Lisims (the heart of the Nisga'a Nation). It stands in front of Wilp Si'ayuukhl Nisga'a to mark the dawn of a new era, and to welcome all to the seat of Nisga'a government.

Electing Representatives

On November 8, 2000, the Nisga'a Nation held its first election, fulfilling the treaty requirement to hold a general election six months after the Effective Date. This first election was an opportunity to observe Nisga'a democratic traditions in action. Many of the candidates created their own pamphlets, brochures, buttons, and radio ads to promote their candidacy and to clarify their position on the issues. NLG appointed a chief

electoral officer to guarantee that the election was conducted fairly, openly, and in accordance with all of the requirements of the Nisga'a Elections Act.

Sharing Wisdom

News of the Nisga'a Final Agreement has travelled far beyond the Nass Valley — across British Columbia, Canada, and around the world. Governments and aboriginal peoples are all watching the implementation of the treaty with keen interest. They are also seeking the advice of Nisga'a negotiators and government members.

Since the Effective Date, representatives of the Nisga'a Nation have given numerous presentations to interested parties on the treaty negotiation process and the contents of the Nisga'a Final Agreement. In addition, aboriginal groups from Taiwan, Australia, and Scandinavia have travelled to the Nass Valley to see Nisga'a government in action and to learn first-hand from the experience of the Nisga'a Nation.

International Participation

In April 2000, the international stature of the Nisga'a Nation reached a new height when representatives of the Nisga'a Nation, along with other Canadian participants, were invited to attend the Summit of the Americas in Quebec City. The second of such conferences, the Summit of the Americas focussed on stimulating economic development between the northern and southern hemispheres. Nisga'a Lisims Government was a full participant with the federal Department of Indian Affairs and Northern Development. The Nisga'a exhibit was visited by a number of high ranking officials, including the Minister of Foreign Affairs for Canada, the Secretary General of the Organisation of American States, and numerous foreign dignitaries, ambassadors, and heads of missions from around the Americas.

Pride of Ownership

"From time immemorial the said Nation or Tribe of Indians exclusively possessed, occupied, used and exercised sovereignty over that portion of the territory now forming the Province of British Columbia...."

— Petition in the Matter of the Territory of the Nishga* Nation or Tribe of Indians, January 1913.

A Land Question Answered

On the Effective Date, the Nisga'a Nation owns approximately 2,000 square kilometres of Nisga'a Lands in fee simple. The Nisga'a Nation granted or issued replacement interests to those persons who, immediately before the Effective Date, had interests in Nisga'a Lands. This recognition marks the start of a process of healing and renewal for the Nisga'a people. It also builds a framework of stability for all Canadians.

Prior to the treaty, the Nisga'a people did not control the resources of their traditional territory. The food fishery was available, but title to the land upon which they lived was held by the Crown. The Nisga'a government moved quickly to draft legislation that grants Nisga'a citizens entitlement to the land beneath their homes.

The fee simple ownership of Nisga'a Lands is now the most comprehensive in Canada. Nisga'a Lands include surface, forest, and mineral rights (excluding water), and are registered in the provincial land title system.

*the common spelling at the time

The Nisga'a Land Act regulates those lands which are not part of a village site. The act is a straightforward version of the British Columbia provincial Land Act.

The Nisga'a Nation owns certain lands, outside of Nisga'a Lands, over which it does not exercise governmental jurisdiction. Outside of Nisga'a Lands, the Nisga'a Nation owns former Indian Reserves along with some adjacent lands called Category A Lands, which include subsurface rights. The Nisga'a Nation also owns other areas outside of Nisga'a Lands called Category B Lands, which include certain subsurface rights as set out in the Nisga'a Final Agreement.

Public Awareness

Only a limited form of Land ownership was possible under the old reserve system. For generations, Nisga'a could not acquire or sell property without the approval of the federal minister, nor could they enjoy the advantages of equity. Not surprisingly, no word exists in the Nisga'a language for "mortgage." This lack of experience poses many challenges. Since the Effective Date, Nisga'a Lisims Government has worked to inform Nisga'a citizens about the rights, responsibilities, and opportunities of land ownership now available to them.

Land Title & Registry Systems

The Nisga'a Nation has its own land title system and its own equivalent of a Crown land registry, known as the Lisims Land Registry. Based on the provincial model, they mirror British Columbia's systems in structure, rigour, and legal underpinnings, but are slightly modified to reflect different tenures. The Nisga'a Nation granted land to the villages. The villages, in turn, offered a "village entitlement" to Nisga'a citizens.

"The Nisga'a people should all be very proud that after 113 years, we now have an opportunity to see a community and a people do what they always wanted to — govern themselves outside of the Indian Act.... We're witnessing a historic event of proportions we won't understand for many, many years to come."

—Tom Berger, QC, legal counsel for the Nisga'a in the 1973 Calder Case

Both the Nisga'a Land Title and Land Registry systems were developed and implemented in only four months and were operating on the Effective Date.

Nisga'a Lands Boundary Survey

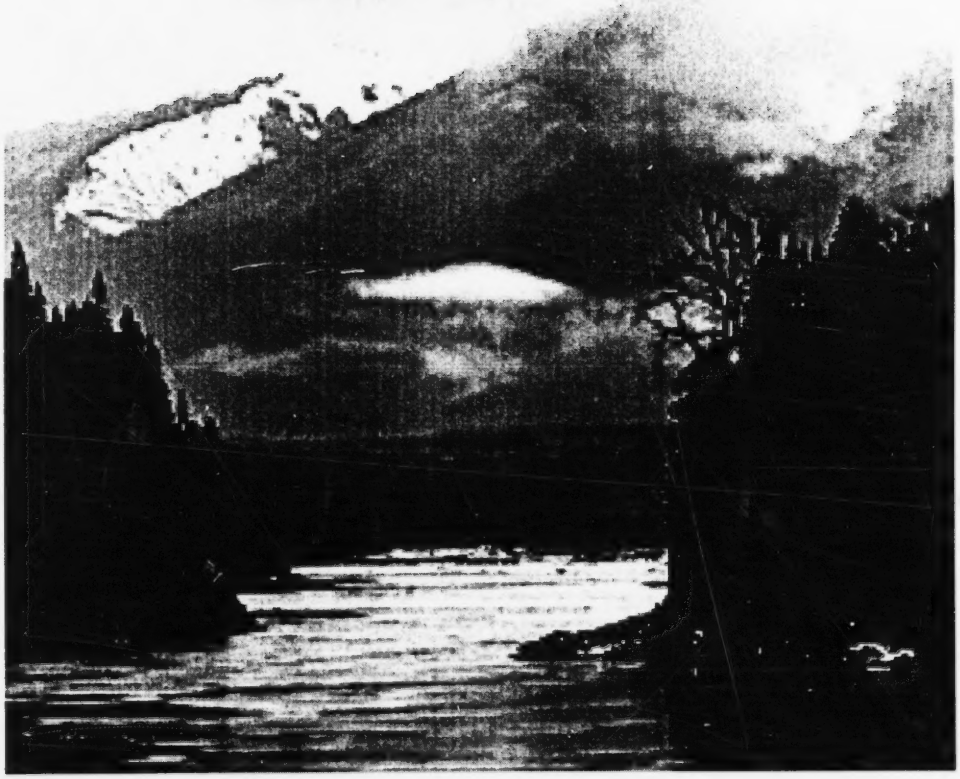
Canada and British Columbia are responsible for the survey of the boundary of Nisga'a Lands. The two survey companies contracted for this purpose are required to hire local workers and use local services wherever possible. In 2000, nine Nisga'a were trained in a range of survey skills and employed on a full-time or part-time basis. Office space, truck rentals, meals, and accommodation were provided by local Nisga'a businesses. The surveys will be completed by winter 2001.

One of the highlights of the boundary survey work was the ceremony to mark the placement of a commemorative Nisga'a survey post. Held in October, 2000, the ceremony was attended by four Nisga'a hereditary chiefs and matriarchs. An old Government of Canada survey post marking the boundary between the former Indian Reserve and provincial Crown land was removed. A new survey post, featuring both the Nisga'a hayatskw (crest) and that of the British Crown, was placed to mark the permanent boundary of the Nisga'a Nation.

Nisga'a Geographical Names & Heritage Sites

In 2000, British Columbia officially recorded Nisga'a names for fifty-two geographic features and renamed thirty-seven others using Nisga'a names. In addition, it established the 6.6 hectare Bear Glacier Provincial Park, which is outside Nisga'a treaty lands but in an area of cultural and historical importance to the Nisga'a Nation.

The province also designated five new Provincial Heritage Sites which lie outside the boundary of the Nisga'a Lands. The sites are each approximately one hectare in size, and include the mouth of Kelskiist Creek, a rock outcrop along Treaty Creek, a peninsula in Nass Lake, and two sections of the Grease Trail — an ancient trade route used by generations of Nisga'a and other First Nations along the coast of British Columbia.



People of the **Nass River**

There is no single resource as closely tied to Nisga'a life and culture as salmon. For thousands of years, the rich salmon runs of the Nass River were harvested in a manner that allowed the Nisga'a people to build and sustain their villages and to develop a trading empire that extended into the interior and ranged up and down the coast. In addition to salmon, the Nass River is home to oolichan, a finger-sized member of the smelt family. A mainstay of Nisga'a culture and a historic staple of Nisga'a trade, oolichan are also known as candlefish because, when dried, they retain enough oil to burn like candles.

Fisheries Management

Nisga'a control of their own fishery is vital for both cultural and economic reasons. That is why, in 1992, Nisga'a Fisheries was established to manage the resource in partnership with Canada. Currently, thirty people are employed full-time in Nisga'a fisheries management. At the height of the season, this complement rises to 85.

Under the terms of the treaty, Canada and British Columbia each contributed $5.9 million to support Nisga'a participation in the general commercial fishery.

Canada managed the reallocation of the salmon resource resulting from the Nisga'a Final Agreement through a voluntary licence retirement program. Canada and the commercial salmon fishing industry agreed on the number and type of licences to retire.

During its first year of operation, the Joint Fisheries Management Committee — the main tripartite fisheries body established by the Final Agreement — recommended the Nisga'a annual fishing plan to the Minister of Fisheries and Oceans. In 2000, NLG established a new application and permit process for the Nisga'a inland commercial salmon fishery. Almost 900 applications were received and approximately 450 permit holders participated.

Nisga'a Fisheries enjoyed a successful year with an above average return. In 2000, Nisga'a fishers were able to harvest just over 35,000 salmon, which represented some $900,000 in revenue. The treaty allows for the commercial sale of salmon and this new revenue has enabled the communities to benefit significantly. The domestic harvest, for internal Nisga'a consumption, reached the target of 25,000 salmon.

In addition to fish, Nisga'a citizens have the right to harvest intertidal bivalves from designated areas for domestic purposes. British Columbia, responsible for regulating the harvest of oysters, established Intertidal Bivalve Harvest Areas in Observatory Inlet, Nasoga'a Gulf, and Winter Inlet.

New Partnerships

Since the Effective Date, Nisga'a Fisheries has been building partnerships outside the Nisga'a Nation. In 2000, NLG entered into an alliance with Canadian Fishing Company (Canfisco) to process Nisga'a commercial fish. Canfisco supplied Nisga'a Fisheries with personnel, fish totes, and expertise in processing fish. Five percent of future annual catches will be utilised for value-added products, including premium, specially labelled, Nisga'a wild sockeye.

Lisims Fisheries Conservation Trust

As a result of the Final Agreement, Canada and the Nisga'a Nation established the Lisims Fisheries Conservation Trust, which is managed by trustees appointed by the Nisga'a Nation, British Columbia, and Canada. Its mandate is to promote conservation and protection of Nass Area fish species, facilitate sustainable management, and support Nisga'a participation in fisheries stewardship for the benefit of all Canadians. Under the terms of the treaty, Canada contributed $10.4 million to the trust while the Nisga'a Nation contributed $3.1 million.

Resource Assessment

In 2000, the Nisga'a Nation continued to assess fish stock on the Nass River's tributary system. Nisga'a Fisheries also conducted a number of scientific studies at Meziadin Lake on sockeye, chinook, coho, chum, and pink salmon. Since the Effective Date, Nisga'a Fisheries — in partnership with the Department of Fisheries and Oceans — has also been assessing the potential value of other fish species.

Although steelhead, trout, and shellfish are not part of the Nisga'a Nation's responsibility, Nisga'a Fisheries chose to study these species because their importance to both the environment and the future of the overall fishery.

Exporting Nisga'a Expertise

Nisga'a expertise in building fish wheels is much in demand. The wheels — an important tool in salmon stock assessment — are used to catch salmon travelling upstream so they can be counted, measured, and weighed. Improving upon the traditional design and wood construction, Nisga'a Fisheries developed an all-aluminum version of the fish wheel which requires little maintenance. Nisga'a workers construct the fish wheels in the Nass Valley, in Terrace, and at various on-site locations. This Nisga'a innovation can be seen at work in Rivers Inlet, Yale, Skeena, Alaska, and as far away as North Carolina.

"The negotiation days are over. The implementation is here... which is in many ways even more difficult than the negotiation. That is why all of us who have been supporters continue to be supporters as the self-determination of the Nisga'a takes shape — and the young people have an opportunity to shape their own lives."

— The Honourable Iona Campagnolo, PC, CM, OBC,
(Lieutenant Governor of British Columbia)
Speaking as former MP Skeena,
Chair, Fraser Valley Basin Council

Wildlife Management

The Nisga'a Nation is blessed with a rare natural bounty. Located on the edge of the Pacific, the Nass Valley enjoys a privileged position on the migratory routes of many birds and fish, and is the year-round home of many mammals. Up from the banks of the Nass River, deer, moose, black bear, grizzly bear, beaver, wolf, and mountain goat are all found in abundance and have helped sustain the Nisga'a people for thousands of years.

Created under the Nisga'a Final Agreement, the tripartite Wildlife Committee provides advice about wildlife management and harvesting within the Nass Wildlife Area. British Columbia uses this information to establish the total annual harvest levels and approves the annual Wildlife Management Plan.

The annual Nass Wildlife Management Plan focuses on three designated species: moose, grizzly bear, and mountain goat. Before the treaty was completed, research was undertaken to determine the population of these target species. Just under 1,500 moose were counted and, under the terms of the treaty, the Nisga'a allocation was 120 per annum. A scientific survey of the grizzly bear population concluded that there were approximately 1,000-1,200 on Nisga'a Lands. With conservation as the overriding principle, the Nisga'a allocation was two per annum (although none were hunted in 2000). The mountain goat population was found to be over 4,000 strong. Although this gave Nisga'a hunters a total allocation of 65, only six were taken in 2000.

As with Nisga'a fishers, hunters must carry the Nisga'a citizenship card. Previously, this had also served as a license. Starting in the 2001 season, however, a separate hunting license was required. Public education about wildlife harvesting has intensified to ensure that Nisga'a citizens are aware of new regulations.

To monitor the implementation of the Nass Wildlife Management Plan, and to ensure compliance with the new regulations, four part-time monitors were stationed in each of the four Nisga'a villages. Although Nisga'a citizens are now required to pay licensing fees, compliance is high because it is widely recognised that the Nisga'a Nation is entrusted with the management of these resources for future generations.

Gifts of the Forest

From the banks of the Nass River to the rugged slopes of the Coast Mountains, Nisga'a Lands are covered with trees. Nisga'a forests are blessed with an abundance of cedar, hemlock, Sitka spruce, lodgepole pine, balsam, and cottonwood. From these forests, the Nisga'a people have always harvested bark for baskets and hats, and wood for fire, dwellings, canoes, and the poles that grace their villages.

Forest Management

Now that the Nisga'a Nation has ownership and control over its forests, it is concentrating on managing the resource. The Nisga'a Final Agreement stipulates that Nisga'a forest practices meet or exceed British Columbia forest practice legislation. NLG is committed to achieving this goal while providing consistent, sustainable employment for forestry workers.

In 2000, a total of 99,588 cubic metres of wood were harvested from Nisga'a Lands — an amount much lower than expected because of a drop in demand from a depressed forest industry. As a result, NLG responded by making long-range planning a top priority. One of the aims of the Nisga'a Forest Resources Department is to inform the Nisga'a people about the opportunities available to them for work in the forest sector. Therefore, as the markets recover, the Nisga'a will be well-positioned to respond to increased demand for wood products.

The Forestry Transition Committee, with representatives from the Nisga'a Nation and the province of British Columbia, was responsible for all aspects of timber management and harvest on Nisga'a Lands prior to the Effective Date. In 2000, British Columbia transferred quarterly Same Economic Position (SEP) payments to the Nisga'a Nation for timber

harvested on Nisga'a Lands. British Columbia continues to apportion the annual timber volumes among existing tenure holders.

The treaty provides for a transition from the current operators harvesting trees on Nisga'a Lands to the Nisga'a themselves. The present contractors will be phased out over a five-year period to provide opportunities for Nisga'a contractors. Under the current arrangement, contractors must meet specific quotas concerning the number of trees they harvest each year. As well, a percentage of this work must be contracted to Nisga'a citizens and this percentage will increase annually. In the first year of the treaty, the target of fifty percent Nisga'a employment was far exceeded.

As awareness of opportunity grows, Nisga'a citizens are approaching Nisga'a government to find out how they can participate in the forest resource sector. This positive dynamic is compelling Nisga'a government to rise to the challenge and help its citizens realise those opportunities.

Mushroom Harvest

The Nisga'a people now manage all resources on Nisga'a Lands. Pine mushrooms, in high demand in Asia, are the second most important resource found in Nisga'a forests. Although the 2000 mushroom harvest was below average at 13,620 kilograms, it was estimated to have added over $400,000 to the local economy.

Prior to the treaty, the Nisga'a people had little control over this resource. The Nisga'a Nation is now taking steps to identify and protect high-yield mushroom areas and enforce Nisga'a regulations to help ensure sustainability. Consequently, obtaining and compiling complete and accurate data was a top priority in 2000. Nisga'a Lisims Government

"All of us living here want to be part of a better future. We know that treaties are not a panacea... they are one tool among many that allow all of us social and economic prosperity. This Nisga'a Treaty provides an opportunity for (Nisga'a) and non-natives to chart a common future.... The City of Terrace eagerly looks forward to those opportunities."

– Jack Talstra, Mayor, Terrace, British Columbia

is the first government in Canada to establish a management plan for the harvest of this renewable resource.

Tourism Development

British Columbia has earned an international reputation for its stunning natural beauty and superior wilderness tourism opportunities. The Nisga'a Nation is eager to take part in the tourism sector, B.C.'s second largest industry. Two tourism ventures, outlined below, utilise the Nisga'a people's remarkable natural environment, their traditional knowledge of the land and water, and their rich cultural heritage.

Under the Nisga'a Final Agreement, British Columbia issued a commercial recreation tenure to the Nisga'a Nation. Lisims Backcountry Adventures, incorporated on August 9, 2000, was designated as the recipient of this tenure and will provide wilderness tourism and cultural experiences for visitors to the Nass Valley — including guide-outfitting, heli-skiing, and hiking. Planning is currently underway to launch the venture in 2002.

Wilp Sy'oon (House of Glacier) Fishing Lodge began operation in 1996. Created to provide memorable fishing holidays, Wilp Sy'oon also provides visitors the opportunity to experience Nisga'a culture and hospitality. The lodge is accessible only by boat or floatplane and is located near Pearce Island, approximately thirty kilometres south of Gingolx. Charter companies meet guests in Prince Rupert to fly them to and from the lodge.

With seven bedrooms, the lodge accommodates up to 14 guests in style. Nisga'a artwork is integral to the interior design and is featured in each room. A professional chef serves local seafood. In 2000, 290 guests visited the lodge, which employed sixteen Nisga'a (full-time and part-time). Wilp Sy'oon, the Nisga'a Nation's first venture in the tourism industry, is a success by any standard.

The Common **Good**

The Nisga'a concept of Saytk'ilhl Wo'osim', or common bowl, is the foundation of Nisga'a culture. Under Saytk'ilhl Wo'osihl Nisga'a, it is understood that since everyone relies on the same resources and community, all must contribute. It is about sharing energy, wisdom, spirit, joy and sadness and it touches all aspects of life. Nisga'a government uses this principle to guide the delivery of education, health, and social services. As the nation develops policies and guidelines, the common bowl concept of fairness will continue to inform decision-making.

Voter Registry & Nisga'a Database

One of the first major challenges facing Nisga'a Lisims Government Programs and Services department was to assemble a voter registry of the Nisga'a Nation in preparation for the first election. Under terms of the treaty, this had to be completed within six months from the Effective Date. A significant portion of department resources was focussed on this critical task. All Nisga'a of voting age, wherever they lived, had to be accounted for and registered to vote.

Two core staff worked exclusively on the citizenship and voter registration drive. They took three tours through the province to count and record Nisga'a of voting age. They also identified all Nisga'a men, women, and children to establish the citizenship list. In part, NLG used Canada's Indian Registry list to identify their people. Nisga'a lineage is matrilineal and citizenship is established through traditional wilp (house) structures.

Throughout the citizenship and voter registration drive, the Nisga'a Nation was assisted by federal departments and provincial ministries. The tripartite Finance Committee and the Implementation Committee were also consulted. The staff of both the provincial and federal systems worked closely with their Nisga'a counterparts to ensure that the transition was as smooth as possible.

Financing Programs & Services

The three governments finalised and implemented the Fiscal Financing Agreement, the main financial arrangement between the parties. Under this agreement, on the Effective Date, Canada provided $31.5 million to Nisga'a Lisims Government to deliver agreed upon programs and services. In a separate agreement, British Columbia transferred $1.2 million to NLG on this date.

Health Care

To improve the health of its citizens, NLG is focussed on making its health care services as responsive as possible. This is accomplished by involving the communities.

Since 1989, the Nisga'a people have managed their own health care system. Registered under the Societies Act, the Nisga'a Valley Health Board is made up of representatives from the four villages, plus an elected representative from the non-Nisga'a community. The board is responsible for creating and maintaining facilities and promoting medical and public health care programs. NLG operates a diagnostic centre at Gitlakdamix and satellite clinics in the other villages. This pre-treaty experience helped ensure a smooth transition for the Nisga'a to the increased post-treaty responsibilities.

"The challenge for today is the challenge of all the tomorrows... (the Nisga'a people) must rely on themselves, their own resources, their own energy.... I have great confidence that they will be a model for all aboriginal governments in Canada."

— The Honourable Jack Austin, PC, Senator

Child & Family Services

A major milestone was reached in 1994 when the province delegated authority to the Nisga'a Nation in the area of Child and Family Services. Since then, NLG has been delivering family support services and special needs programs. Since the Effective Date, NLG has also been preparing for the provision of foster care.

Seven people are employed in Nisga'a Child and Family Services (NCFS) department. They deliver services directly to the four communities and operate a receiving home in Terrace. Currently, NCFS is recruiting qualified Nisga'a as care givers for Nisga'a children.

NCFS solicits advice from all four of the communities through the Joint Management Committee which includes representatives from the village governments, Community Resources Committee, and Social Development Workers. It operates numerous programs in Nisga'a villages, including: Family Support Services, Cultural Works, Training for Childcare, Parenting Skills training, and Recreation. NCFS also acts as an advocate for families and children in crisis.

Primary & Secondary Education

Nisga'a government is determined to foster and protect Nisga'a language and culture and recognises the importance of education in achieving this goal. NLG has administrative jurisdiction over the education of its children in School District 92 and provides provincial K-12 programs. In addition, more than 550 Nisga'a students in the Nass Valley are enrolled in bicultural and bilingual courses.

House of Wisdom

Established in 1993, Wilp Wilxo'oskwhl Nisga'a (House of Wisdom) partners with a number of public institutions for the delivery of post-secondary programs in Nisga'a communities and Urban Locals. While the core curriculum is based on Ayuukhl Nisga'a (Nisga'a law), Wilp Wilxo'oskwhl Nisga'a (WWN) exists to serve both Nisga'a and non-Nisga'a residents of north-west British Columbia. Having this institution of higher learning in the Nass Valley has had a profound

effect on completion rates, community spirit, and pride. It has also helped to preserve Nisga'a language and culture.

WWN delivers a number of vocational and technical courses in conjunction with Northwest Community College, including first aid, fisheries, office technology, computers, day-care, cross-cultural workshops, and conversational Nisga'a. Courses are also offered in Grade 12 equivalency and university-college preparation. Two Nisga'a sit on the Northwest Community College Board.

WWN's core administrative and teaching team includes six full-time staff and 11 part-time faculty members. Eighty-five percent of the faculty are Nisga'a. In association with the University of Northern British Columbia (UNBC), WWN offers a Bachelor of Arts in First Nations Studies, Nisga'a, with numerous minors (including: History, English, and Psychology). The program has experienced tremendous success with 14 people completing degrees, 32 earning certificates, and 2,388 successful course completions to date. WWN is working toward establishing a masters degree in First Nations studies with UNBC.

WWN has a formal relationship with CONAP (Confederación de Nacionalidades Amazónicas del Perú), assisting it with post-secondary and adult education in rural and remote areas. WWN has become internationally recognised for its expertise in this field. Aboriginal groups and scholars from Europe, New Zealand, Japan, and China have come to the Nass Valley to study at WWN.

Access to Justice

Nisga'a Lisims Government's Aboriginal Justice Program provides justice-related services to the Nisga'a people. This program assists participants in the justice system in liaising with Nisga'a communities. It also encourages the revival of relevant traditional Nisga'a justice practices, develops alternative programming, assists victims of crime, encourages crime prevention, and fosters restorative justice.

Outreach to Urban Nisga'a

Ensuring that Nisga'a people living in urban centres have access to aboriginal programs and services is a priority for the Nisga'a Nation. Through its urban offices, Nisga'a Child and Family Services is dedicated to reaching Nisga'a living outside the Nass Valley to foster a sense of community and provide support for all Nisga'a, no matter where they live in British Columbia.

The Road to **Unity**

Just as Canada's transcontinental railway was considered a crucial link for uniting a new nation in the 1880s, so the drive to connect the four villages of the Nass Valley by road is important for uniting the Nisga'a Nation today.

New road construction in the Nass Valley has increased since the Effective Date and includes the Nisga'a Highway Upgrade project and the Kincolith Extension Project. Both projects are providing employment for the Nisga'a people.

Nisga'a Highway Upgrade Project

The $41 million Nisga'a Highway Upgrade Project, funded by the province of British Columbia, has been underway for two years. Approximately 90 kilometres of Nisga'a Highway (from Sand Lake to Nass Camp) will be upgraded from a gravel resource road to a 70 km/h, two-lane paved highway capable of handling 100 percent legal loading year-round. The project budget is $41 million and construction is slated for completion in 2005.

In 2000, most work took place on the Lava Lake section which is approximately ten kilometres in length. Paving of this section is scheduled for completion by the end of 2003 and will improve access to the Nass Valley for the Nisga'a people and for all British Columbians. A local hiring policy throughout the construction process ensures a high percentage of Nisga'a workers. Training opportunities were also provided. Twenty Nisga'a were employed on the project in 2000.

"Chief Gosnell proclaimed that the Nisga'a canoe has landed. Were local interests toppled in its wake? Certainly not. Through careful construction of a treaty, recognition of many areas of mutual interest, and similar political and economic development aspirations, the Nisga'a and the Regional District of Kitimat-Stikine should arrive safely at their chosen destinations. And though we may be travelling in separate canoes, we may very well find it to be the same destination."

— Joanne Monaghan, Chair, Regional District of Kitimat-Stikine

Kincolith Extension Project

The Nisga'a people are looking forward with anticipation to linking Kincolith (Gingolx) to the rest of the Nisga'a Nation. Access to this village has always been difficult. The north coast of British Columbia has famously rough weather (outside of summer months) and there have been numerous accidents. After years of planning for the Nisga'a Highway link to Kincolith, construction finally began in 2000 and will be substantially completed on or before December 31, 2002. The extension is being built under a separate tripartite agreement between Canada, British Columbia, and the Nisga'a Nation.

The $34 million Kincolith Extension Project will create a two-lane 29 kilometre all-weather gravel road. The 24.4 kilometre section from Mill Bay to Laxgalts'sap represents significant geotechnical and environmental challenges as it traverses steep slopes with very high fisheries and wildlife values. The road will be owned by British Columbia and jointly paid for by the three governments. Thirty Nisga'a have been hired for this project.

The road to an ice-free port for shipment of forest products and goods will offer new economic opportunities — and enhance historic ones. When the road is complete, the Nisga'a people will enjoy easy access to Fishery Bay during the rich oolichan run.

A Culture Renewed

Ayuukhl Nisga'a is the inheritance of Nisga'a oral culture and laws. The Nisga'a people learn the Ayuuk as children through feasts and daily events in the Nisga'a communities. It has been passed down from generation to generation.

Ayuukhl Nisga'a Department

The Ayuukhl Nisga'a Department (AND) of Nisga'a Lisims Government is entrusted by the nation to protect, preserve, and promote Nisga'a language, culture, and history. This is accomplished by encouraging research and understanding, respecting traditional ownership of Nisga'a history and adaawak (stories belonging to a Nisga'a wilp or house), and conserving this heritage through research. AND also responds to requests from government and the community for information on a variety of topics, from Nisga'a spelling and syntax to traditional land use systems and cultural practices.

The AND Collection consists of archival, historical, and contemporary documents regarding the Nisga'a Land Question, and general Nisga'a history and culture written by academics, anthropologists, and scientists. It includes interviews with Nisga'a elders, a photo library, a map collection, historical documents, and transcripts. AND is working to set up access to its collection for students and the general public.

"It's really gratifying to know that there are people on this earth who still have the patience to go through negotiations for over 100 years and come out winning. It reminds me of Moses being 40 years in the desert and finally building a nation."

— Milton Wong, Chairman,
HSBC Asset Management (Canada) Ltd.

Nisga'a Artifacts

The remarkable story of the repatriation of Nisga'a artifacts under the Nisga'a Final Agreement is one of co-operation, cross-cultural understanding, and goodwill.

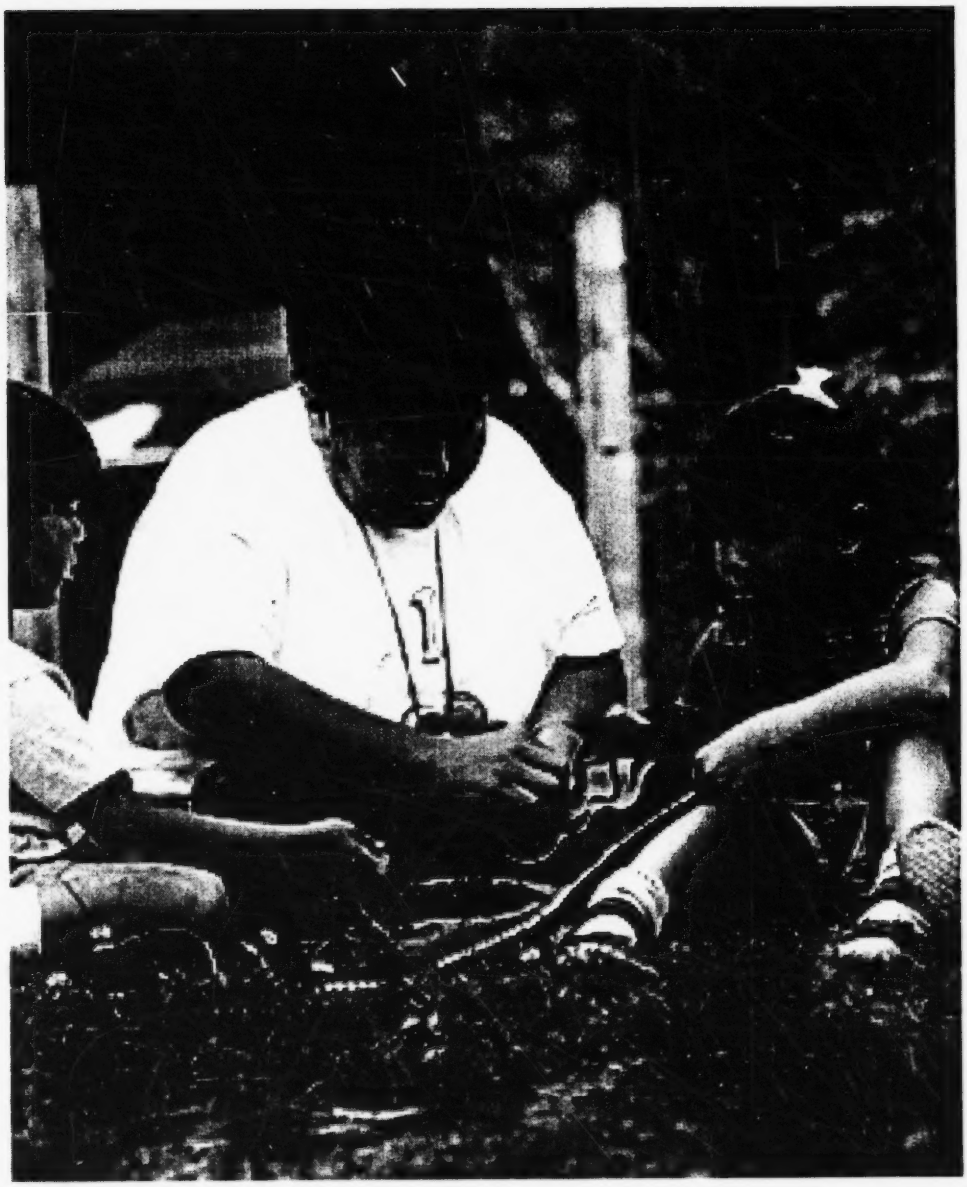
Nisga'a artifacts are an important expression of Nisga'a culture. During the 19th and early 20th centuries, Nisga'a artifacts were collected by numerous individuals. Some of these collections were eventually transferred to the Royal British Columbia Museum and the Canadian Museum of Civilisation. The treaty provides for the return of approximately 100 artifacts currently held by the Canadian Museum of Civilisation and 180 from the Royal British Columbia Museum.

With the goal of sharing Nisga'a culture with the rest of the world, some of the artifacts will remain in the care of museums so others can learn about the Nisga'a, their land, and their culture. Artifacts returned to the Nass Valley will be housed in a special collection of the Nisga'a Nation. A facility of international standard will be built in the village of Laxgalts'sap to provide a central destination for returning artifacts and for visitors wishing to learn more about Nisga'a culture and heritage.

Nisga'a Treaty Gallery

Since the Effective Date, major museums across North America have been featuring Nisga'a culture and artifacts. The Canadian Museum of Civilisation, the Royal Ontario Museum, the University of British Columbia's Museum of Anthropology, and the National Museum of the American Indian in New York City have all brought the story of Nisga'a heritage and determination to a wider audience.

Planning is also underway for an interpretive display of the Nisga'a Treaty at the Royal British Columbia Museum in Victoria. With text, photos, and artifacts, the Nisga'a Treaty Gallery is designed to give British Columbians, Canadians, and international visitors a better understanding of the Nisga'a Final Agreement. Scheduled to open in early 2002, the display will offer a glimpse of contemporary Nisga'a culture, language, and the opportunities the treaty represents for the Nisga'a people.



One Hope, One Nation, One Year

Peace, order, and good government are cornerstones of Canadian society. Ensuring these principles remain strong for future generations requires a spirit of co-operation and a dedication to the common good. It also demands a tremendous amount of work.

Canada is a nation born not of rebellion but devolution. The birth of the nation was brought about through the commitment of those preparing to govern, the belief in the rightness of their cause, and the foresight of those transferring authority. As Westminster justly granted Canada the right to govern its citizens in 1867, so the governments of Canada and British Columbia return self-government rights to the Nisga'a people.

It took 113 years for the Nisga'a to achieve their dream. It was accomplished through persistence, patience, and faith that they would see justice within the Canadian system. The Nisga'a Final Agreement is a tribute to generations of Nisga'a who laboured tirelessly to secure the rights they enjoy today. It is also a tribute to their federal and provincial partners who have come together to offer the Nisga'a people a brighter future within Canada.

Selected Timeline

1887
Nisga'a Chiefs travel by water to Victoria to discuss the Nisga'a Land Question; they are turned away on the steps of the legislature by Premier William Smithe

1889
Aboriginal fishers are excluded from commercial fishing until 1923

1890
First Nisga'a Land Committee established

1910
Prime Minister Laurier promises to settle the Land Question

1913
Nisga'a Land Committee submits its Petition to the British Privy Council in London

1924
Nisga'a Nation allotted 76 square kilometres of reserve land

1927
Ottawa prohibits aboriginal people from organizing to discuss the Land Question

1949
Nisga'a Chief Frank Calder is elected to the B.C. legislature

1951
Parliament repeals provisions of the Indian Act that outlawed the Potlatch and prohibited land claims activity

1955
Nisga'a Land Committee is re-established as the Nisga'a Tribal Council; Frank Calder is elected first president

1960
Aboriginal people are granted the right to vote in federal elections

1973
The Calder Decision: the Supreme Court of Canada rules that the Nisga'a had held aboriginal title before settlers came but the judges split evenly on whether aboriginal title continued to exist

1976
Nisga'a begin negotiating with Ottawa, B.C. government attends as an observer; the federal government adopts a "comprehensive land claims policy"; the Nisga'a claim is the only one in B.C. started under this new policy

1982
Constitution of Canada recognizes and affirms existing aboriginal rights

1990
British Columbia formally enters Nisga'a negotiations

1991
A tripartite framework agreement is signed

1993
Delgamuukw Decision: B.C. Court of Appeal rules that the Gitxsan and Wet'suwet'en people have "unextinguished, non-exclusive aboriginal rights, other than right of ownership" to much of their traditional territory

1996
On March 22, representatives of the Nisga'a Tribal Council, Canada, and British Columbia sign the Nisga'a Agreement in Principle, paving the way for a final agreement

1998
On August 4, the Nisga'a Treaty is initialed in Gitlakdamix, making news around the world

1998
On November 30, the Nisga'a Final Agreement (Bill 51) is introduced in first reading to the British Columbia legislature

1999
On April 26, Bill 51 was granted Royal Assent

1999
On October 19, the Nisga'a Final Agreement (Bill C-9) is introduced in the House of Commons; on December 14, it is referred to the Senate

2000
On April 13, the Senate approves the Nisga'a Final Agreement on third reading after an exhaustive review at committee stage; the Nisga'a Treaty is formally ratified and Bill C-9 is granted Royal Assent by the Governor General of Canada, Madame Adrienne Clarkson

2000
On May 11, Nisga'a Lisims Government formally comes into effect, constitutes itself, and passes first laws

2000
On September 14, Wilp Si'ayuukhl Nisga'a, Lisims government's new legislative and administrative building, opens as the formal seat of Nisga'a government in Gitlakdamix; a new era begins

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